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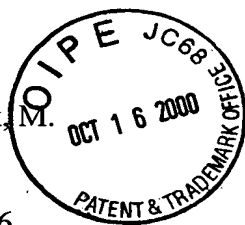
In re application of:

BOYCE, Frederick, M.

Appl. No. 08/752,032

Filed: November 19, 1996

For: **Use of a Baculovirus to Express an
Exogenous Gene in a Mammalian
Cell**



Art Unit: 1819

Examiner: Campell, B.

Atty. Docket: 0609.4970003/JAG/EEF

OCT 20 2000

TECH CENTER 1600/2900

First Supplemental Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each of these documents is provided. The numbering in this First Supplemental Information Disclosure Statement is a continuation of the numbering in the Applicants' Information Disclosure Statement filed on February 26, 1997 in connection with the above-captioned application.

Document **BB**, patent DE 44 07 859 C1, is in the German language. An English language translation of document BB is attached as document **FN**. Document FN is believed to relate to a vector, and the method of production of this vector, used for liver-specific gene therapy containing an insect virus comprising a therapeutic DNA sequence, a promoter suitable for gene expression in the liver and an origin of replication.

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- 2 -

BOYCE, Frederick, M.
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Appl. No. 08/752,052

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

This First Supplemental Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance. Attached is our Check No. 29153 in the amount of \$ 240.00 in payment of the fee under 37 C.F.R. § 1.17(p).

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: October 16, 2000

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